

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF NEW YORK

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9384-2557 Québec Inc., a Canadian  
corporation; MINEDMAP, INC., a Nevada  
corporation; and SERENITY ALPHA, LLC, a  
Nevada limited liability, and other similarly  
situated individuals

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1:19-CV-00501-TJM-CFH

**MEMORANDUM OF LAW IN  
SUPPORT OF MOTION FOR  
LEAVE TO AMEND COMPLAINT**

Plaintiff,

:

against

:

**(ECF Case)**

NORTHWAY MINING, LLC, a New York limited  
liability company; MICHAEL MARANDA, an  
individual; MICHAEL CARTER, an individual;  
CSX4236 MOTORCYCLE SALVAGE, LLC, a New  
York limited liability company; DROR SVORAI,  
an individual; MINING POWER GROUP, INC., a  
Florida corporation; HUDSON DATA CENTER,  
INC, a New York Corporation, MICHAEL  
MARANDA, LLC, a New York Limited liability  
company; PORTER KING HILL CONTRACTING,  
LLC, a New York limited liability company;  
COINMINT, LLC, a Delaware limited liability  
company; OSWEGO DATA LLC, a New York  
Limited Liability Company; LORI S. THOMPSON,  
LCSW, PLLC, a professional limited liability  
corporation; LORI SHANNON THOMPSON, an  
individual, ANTHONY PORTER, an individual;  
CHRISTINE MARANDA, an individual; ROSEANN  
MARANDA; an individual; DOUGLAS MARANDA,  
an individual, and DONALD D'AVANZO, an  
individual

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Defendants.

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Plaintiffs, MinedMap et. al., through counsel, T. Edward Williams, Esq., moves for leave to amend their complaint under Rule 15(a)(2) and Local Rule 7.1(1)(4) because justice requires this court allow Plaintiffs to amend their Complaint and because defendants will not be prejudiced by such an amendment early in this proceeding.

**MOTION FOR LEAVE TO AMEND**

1. A party may amend a pleading once as a matter of course, but thereafter must seek leave of court for further amendments. Fed. R. Civ. P. 15(a) (2020). The law in this district is settled that a request for leave shall be freely given, unless the amendment is sought in bad faith, is sought to delay the proceedings, or is sought to prejudice the nonmovant. *See, e.g., Washington v. New York City Bd. of Estimate*, 709 F.2d 792, 795 (2d Cir. 1983) (construing Rule 15(a)).
2. As set forth in the Declaration of T. Edward Wililams, Esq. (Williams Affidavit), Plaintiffs recently discovered that Defendant, Michael Maranda, has continued for form entities and transfer Plaintiffs' assets to third parties, including Douglas Maranda, Christine Maranda, Lori Shannon Thompson-Maranda, Roseann Maranda, Anthony Porter, Donald D'Avanzo and other individuals. *See Williams Affidavit*, at *passim*. Moving to add parties to whom Defendants have recently transferred assets

to avoid an impending judgment or to hinder, delay, or defraud creditors is consistent with the intent of Rule 15 to do justice. *Id.*

3. Defendants cannot show they will be prejudiced. This is not a proceeding in which Plaintiffs seek to amend their complaint in bad faith. Indeed, Plaintiff seeks to add individuals to whom Plaintiffs assets have been transferred and individuals who helped Michael Maranda defraud them. In addition, and importantly, Plaintiffs are seeking an amendment before a scheduling order has even entered.

4. Because the amendment Plaintiffs seek is advances justice in that Plaintiffs will not be without a remedy against individuals who wronged them, this Court should grant Plaintiffs leave to amend their complaint to assert new claims and add additional parties against whom they can recover.

Dated as of April 30, 2020.  
New York, New York

**RESPECTFULLY SUBMITTED,**

/s/ T. Edward Williams, Esq.

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